

Bringing the Vision for Tysons Corner into Focus

I'm Rob Jackson, president of the McLean Citizens Association. I'd like to begin by thanking the Planning Commission and the county staff for attempting to salvage a severely flawed "vision" for Tysons Corner by listening to the public's concerns and applying sound planning principles.

The "vision" fails to address very real public facility limitations or to incorporate the strong public insistence that growth at Tysons not overtake the underlying infrastructure. Existing TOD policy has been flouted through the vision's blatant attempt to allow high density far from rail stations. The vision, unless adjusted by reality and ordinary fairness, would certainly become a nightmare for Tysons' neighbors, including McLean. We simply will not accept that result.

But I've not come just to criticize the vision, but also to recommend steps that can bring it back into focus. It still is possible to plan a more dense and urban Tysons that does not degrade the quality of life for its residents or their neighbors.

For Tysons Corner to succeed and not become a burden to other citizens and businesses throughout Fairfax County, there must be a matching of costs and risks to rewards. All of us want to see the landowners and developers succeed financially through the construction of attractive buildings and other improvements in a more urban Tysons Corner. But just as those entities stand to reap the profits of success, they must also fund the infrastructure that enables an urban Tysons and must bear the risks of failure. If general economic or specific market conditions are such that needed road capacity, for example, cannot be built as planned, density must be withheld until the road facility can be completed without burdening taxpayers. It is unacceptable for development profits to be privatized, while the associated costs are spread to the County and its residents.

Some of what must be done to tie costs to benefits belongs to the Board of Supervisors. For example, our supervisors must ensure the costs of infrastructure necessary to support an urban Tysons Corner are funded by those who stand to gain from added density and are not passed along to other businesses and residents in the form of higher taxes and bonded debt, or decreased services. Supervisors must obtain sufficient proffers and impose adequate special assessments and supplemental ad valorem taxes, if needed, on the affected landowners to pay for necessary public facilities.

But the Comprehensive Plan must also be written to ensure basic fairness and to prevent crushing development. The Plan too must place downside risks on those who stand to gain from added density. There must, of course, be a match, in both timing and capacity, between public infrastructure and increases in density. "Give us urban densities today, and then we will try to build infrastructure someday in the future" is a complete non-starter.

Rather, the Comprehensive Plan must include two types of triggers that prevent added density from being approved unless and until the associated conditions are satisfied. There must be unambiguous public facility triggers that identify particular units of infrastructure, at specific locations, and that require funding commitments in place, before increased

densities are approved. (For example, six new classrooms at Kilmer middle school or four blocks of grid streets between Spring Hill Road and Tyco Road.)

There must also be performance triggers to prevent deterioration in levels of service. (For example, no increase in the number of classroom trailers at Westgate elementary school or no decrease in level of service for International Drive.)

In order to protect the surrounding neighborhoods, performance triggers, most especially for traffic congestion, must also extend to those areas. At a bare minimum, there can be no deterioration in the levels of service for all roads and intersections outside Tysons that will be subject to traffic studies, such as Lewinsville and Spring Hill Roads.

Triggers should be reasonable, understandable, measurable, and enforceable. It would be unfair, for example, to insist that the level of service for a specific road improve from C to B before more density would be granted to the fronting landowners. But it's not unreasonable whatsoever to deny added density to those same landowners if more density would contribute to a deteriorated level of service.

The requirements for triggers must be easily understandable, and their compliance simple to measure. Landowners, county staff and ordinary citizens should be able to comprehend the requirements of a trigger and know when it has or has not been satisfied without consulting lawyers. Triggers must be administered fairly in good times and in bad. Small landowners or those who forego making political contributions should not be disadvantaged by others who can "work the system." Residents of nearby communities must know that a slick lobbyist cannot free a developer from a requirement to fund road improvements before more density is granted.

These are sound policy actions that can and should be supported by the Planning Commission, and, if adopted as part of the Comprehensive Plan, would permit added density at Tysons Corner that will be positive for all parties. I urge you to take these and other sensible steps that will focus a terribly distorted vision for Tysons Corner and protect the citizens of Fairfax County.

Thank you.

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